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*Attorneys for Plaintiff*  
BRIAN F. GORDON

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

BRIAN F. GORDON, on behalf of himself and all  
others similarly situated,

Plaintiff,

v.

APPLE COMPUTER, INC., and, DOES 1  
THROUGH 50, inclusive,

Defendant.

Case No. C 06 5358 JW

**CLASS ACTION**

**STIPULATION TO  
CONTINUANCE OF CASE  
MANAGEMENT CONFERENCE**

1           WHEREAS, a Case Management Conference is currently scheduled for April 16, 2007;  
2 and

3           WHEREAS, because the parties agreed to private mediation, the original December 18,  
4 2006 Case Management Conference was continued by stipulation of the parties to February 5,  
5 2007; and

6           WHEREAS, because the private mediation agreed to by parties was scheduled for March  
7 13, 2007, the February 5, 2007 Case Management Conference was continued by stipulation of the  
8 parties to March 19, 2007; and

9           WHEREAS, the March 19, 2007 Case Management Conference was continued to April 16,  
10 2007 by this Court's order; and

11           WHEREAS, Defendant's counsel has a scheduling conflict on April 16, 2007, the date the  
12 Case Management Conference is currently scheduled;

13           IT IS HEREBY STIPULATED AND AGREED pursuant to the Northern District Local  
14 Rules 6-2(a), 7-12, and 16-2(e), that the Case Management Conference currently scheduled for  
15 April 16, 2007, shall be continued to May 14, 2007.

16           SO STIPULATED.  
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1 Dated: March 22, 2007

PENELOPE A. PREOVOLOS  
ANDREW D. MUHLBACH  
JOHANNA W. ROBERTS  
NATALIE NAUGLE  
MORRISON & FOERSTER LLP

2 By: /s/ Penelope A. Preovolos  
3 Penelope A. Preovolos

4  
5  
6 *Attorneys for Defendant*  
7 APPLE COMPUTER, INC.

8 Dated: March 22, 2007

9 HELEN ZELDES  
10 LAW OFFICES OF HELEN ZELDES


11 KEITH M. FLEISCHMAN  
12 RONALD J. ARANOFF  
13 SUSAN COLLYER  
14 BERNSTEIN LIEBHARD & LIFSHITZ, LLP

15 By: /s/ Helen Zeldes  
16 Helen Zeldes

17 *Attorneys for Plaintiff*  
18 BRIAN F. GORDON

19 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

20 Dated: 3/23/2007

21   
22 United States District Court Judge

1 I, Penelope A. Preovolos, am the ECF user whose ID and password are being used to file  
2 this Stipulation to Continuance of Case Management Conference. In compliance with General  
3 Order 45.X.B, I hereby attest that Helen I. Zeldes has concurred in this filing.

4  
5 Dated: March 22, 2007

PENELOPE A. PREOVOLOS  
ANDREW D. MUHLBACH  
JOHANNA W. ROBERTS  
NATALIE NAUGLE  
MORRISON & FOERSTER LLP

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8  
9 By: /s/ Penelope A. Preovolos  
10 Penelope A. Preovolos

11 *Attorneys for Defendant*  
12 APPLE COMPUTER, INC.  
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**CERTIFICATE OF SERVICE BY MAIL**  
(Fed. R. Civ. Proc. rule 5(b))

I declare that I am employed with the law firm of Morrison & Foerster LLP, whose address is 425 Market Street, San Francisco, California 94105-2482; I am not a party to the within cause; I am over the age of eighteen years and I am readily familiar with Morrison & Foerster's practice for collection and processing of correspondence for mailing with the United States Postal Service and know that in the ordinary course of Morrison & Foerster's business practice the document described below will be deposited with the United States Postal Service on the same date that it is placed at Morrison & Foerster with postage thereon fully prepaid for collection and mailing.

I further declare that on the date hereof I served a copy of:

**STIPULATION TO CONTINUANCE OF CASE  
MANAGEMENT CONFERENCE**

on the following by placing a true copy thereof enclosed in a sealed envelope addressed as follows for collection and mailing at Morrison & Foerster LLP, 425 Market Street, San Francisco, California 94105-2482, in accordance with Morrison & Foerster's ordinary business practices:

Ronald J. Arandoff, Esq.  
Keith M. Fleischman, Esq.  
Bernstein Liebhard & Lipshitz, LLP  
10 East 40<sup>th</sup> Street, 2<sup>nd</sup> Floor  
New York NY 10016

I declare under penalty of perjury that the above is true and correct.

Executed at San Francisco, California, this 22<sup>nd</sup> day of March, 2007.

\_\_\_\_\_  
Carol J. Peplinski  
(typed)

\_\_\_\_\_  
/s/ Carol J. Peplinski  
(signature)

**ATTESTATION OF E-FILED SIGNATURE**

I, Penelope A. Preovolos, am the ECF User whose ID and password are being used to file this Proof of Service. In compliance with General Order 45, X.B., I hereby attest that Carol J. Peplinski has read and approved this Proof of Service and consents to its filing in this action.

Dated: March 22, 2007.

MORRISON & FOERSTER LLP

\_\_\_\_\_  
/s/ Penelope A. Preovolos  
/s/ Penelope A. Preovolos